

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CHRISTOPHER LUMPKIN,

Plaintiff,

V.

DAUGHERTY,

Defendant.

Civil Action No. 3:23-cv-80-HEH


MEMORANDUM OPINION
(Dismissing Action)

By Memorandum Order entered on January 27, 2025, the Court directed the Clerk to file an Entry of Default against Defendant Daugherty. (Mem. Order at 1, ECF No. 49.) The Clerk subsequently entered default. (ECF No. 50.) In its Memorandum Order, the Court explained that Plaintiff may file a motion for default judgment under Fed. R. Civ. P. 55(b) with an accompanying memorandum setting forth the factual and legal support for the certain findings identified by the Court. (Mem. Order at 1.) The Court warned that failure to comply with these directions within thirty (30) days of the date of entry thereof would result in dismissal of the action. (*See id.* at 2 (citing Fed. R. Civ. P. 41(b).))

More than thirty (30) days have elapsed, and Plaintiff has failed to file a motion for default judgment or otherwise respond to the January 27, 2025 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: March 7, 2025
Richmond, Virginia

 /s/ _____
Henry E. Hudson
Senior United States District Judge